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March 30, 2005

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### BY E-FILEING

The Honorable Kent A. Jordan  
United States District Court  
844 N. King Street  
Wilmington, DE 19801

Re: Hamilton v. Levy, et al., C.A. No. 94-336-KAJ

Dear Judge Jordan:

I am writing to report as directed in Your Honor's letter of today concerning paragraph 10 of Mr. Hamilton's letter docketed as item 454.

I have drafted a letter in accord with Your Honor's direction that will be sent to Mr. Hamilton via Federal Express, U.S. Mail, and, if possible, hand delivery. This letter will be sent today.

I have further attempted to contact Mr. Hamilton by telephone last evening, but was able to reach only an answering machine. I note in this regard that beginning mid-last week Mr. Hamilton's telephone number was disconnected, and I am not certain that the number is still assigned to him. We are, however, attempting to make contact at that number again today.

With regard to whether Mr. Hamilton has or has had access to the juror identities, I have several items to report. I reviewed a copy of the jury list with Mr. Hamilton on the Friday

YOUNG CONAWAY STARGATT & TAYLOR, LLP

The Honorable Kent A. Jordan

March 30, 2005

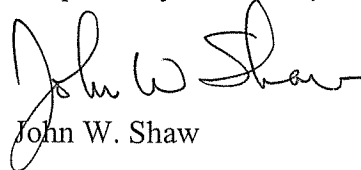
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before the trial. Mr. Hamilton also asked to look at a copy of the jury list during jury selection, and a copy was shared with Mr. Hamilton at counsel table in the courtroom. When the jury was seated, the juror names were recorded on a sheet in the order they were seated; this sheet was visible to Mr. Hamilton until the time the jury was sworn. Mr. Hamilton asked questions about the jury members generally and was shown my annotated copy of the jury list during the peremptory challenge phase of the jury selection process.

After jury selection was complete, my notes and annotated jury list was returned to a labeled folder; I do not recall, however, whether the second copy of the jury list that was available on counsel table was returned to its folder or whether Mr. Hamilton kept it. To my knowledge, the labeled folder was not shared with or reviewed by Mr. Hamilton at any other point during the trial. Also to my knowledge, Mr. Hamilton did not take notes about or concerning the jury selection in the courtroom.

Finally, this office has not shared a copy of the sealed jury verdict with Mr. Hamilton, nor has Mr. Hamilton requested a copy of the sealed verdict. Mr. Hamilton also has not asked – except in the letter docketed as item 454 – for any information about any juror at any time after jury selection was complete. And, while the juror names are available in the transcript, to my knowledge Mr. Hamilton has not requested a copy of the transcript and he does not have access to a copy of the transcript.

Respectfully submitted,



John W. Shaw

JWS/pt

cc: Clerk of the Court (via e-filing)  
Ralph K. Durstein, III, Esquire (via e-filing)  
Thomas H. Ellis, Esquire (via e-filing)  
Aaron Goldstein, Esquire (via e-filing)  
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